

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION**

John Gallman,)	C/A NO.: 4:23-cv-349-RBH
)	
Plaintiff,)	
)	
vs.)	NOTICE OF REMOVAL
)	28 U.S.C. § 1441, 1446
)	ON BEHALF OF DEFENDANT
Amanda Sutherland, in her individual capacity, and the Horry County Department of Social Services,)	AMANDA SUTHERLAND
)	
)	
Defendants.)	
)	

This Defendant, Amanda Sutherland, by and through her undersigned attorneys hereby gives notice of the removal of this action from the Court of Common Pleas, Horry County, South Carolina, to the United States District Court for the District of South Carolina, Florence Division.

The grounds for removal are as follows:

1. Upon information and belief, the Summons and Complaint were filed in the Horry County Court of Common Pleas on or about May 31, 2022.
2. Upon information and belief, the Summons and Complaint were filed in the Horry County Court of Common Pleas on or about September 9, 2022.
3. This action is now pending in Horry County Court of Common Pleas, designated as case number 2022-CP-26-05734, and the time within which this Defendant is required by the laws of South Carolina to answer or otherwise plead has not expired.
4. Plaintiff has alleged that this Defendant has denied his Fourth and Fourteenth Amendment rights under the Constitution of the United States under 42 U.S.C. § 1983. (See Complaint). Accordingly, this civil action is removable under 28 U.S.C. § 1441. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343 because this case involves a federal question.

5. The Florence Division is the proper venue inasmuch as the events in controversy took place within the Florence Division.

6. This Defendant has attached to this Notice and filed herewith copies of pleadings served upon her in this action as required by 28 U.S.C. § 1446 (A). (See Exhibit A.)

7. This Defendant is providing Plaintiff's counsel and the Clerk of Horry County Court of Common Pleas in South Carolina written notice of the removal of this action as required by 28 U.S.C. § 1446 (D).

8. No other Defendants have appeared or answered.

9. This Defendant reserves the right to assert, and does not waive by filing this removal notice, any defenses under Federal Rule of Civil Procedure 12(b) or any defenses that may be revealed by information acquired during discovery or otherwise.

WHEREFORE, this Petitioner prays that the above-entitled case be removed to this, the United States District Court for the District of South Carolina, Florence Division.

This the 26th day of January, 2023.

WE SO MOVE:

Lisa A. Thomas, Fed ID #9950

Patrick L. Huff, Fed ID #13925

Attorneys for the Defendant

s/ Lisa A. Thomas

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